

First Counterpart  
Page 1 of 4

1.P566.30

**DECLARATION FOR PATENT APPLICATION AND POWER OF ATTORNEY**  
(Under 37 CFR § 1.63; includes reference to PCT International Applications)

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention ENTITLED:

**MINIMALLY INVASIVE SURGICAL REAMER AND CONNECTION**

the specification of which:

- ☐ is attached hereto  
☐ was filed on \_\_\_\_\_ as:  
☐ United States Application Serial No. \_\_\_\_\_  
☒ is filed as a National Phase of PCT Application No PCT/US02/21310 filed on August 1, 2002 and designating the US, and published as WO 03/086208 on October 23, 2003  
☐ with amendments through \_\_\_\_\_ (if applicable, give details).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code § 119 of any foreign application(s) for patent or inventor's certificate or of any PCT International application(s) designating at least one country other than the United State of America listed below and have also identified below any foreign application for patent or inventor's certificate or any PCT International applications designating at least one country other than the United States of America filed by me on the same subject matter having a filing date before that of the application(s) on which priority is claimed:

Prior Foreign/PCT Application(s) [list additional applications on separate page]:

<u>Country (or PCT)</u>	<u>Application Number:</u>	<u>Filed (Day/Month/Year)</u>
-------------------------	----------------------------	-------------------------------

Priority Claimed:

<u>Yes</u>	<u>No</u>
<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>

I hereby claim the benefit under 35 U.S.C. § 119(e) of any United States application listed below:

<u>60/372,285</u>	<u>April 12, 2002</u>
(Application Number)	(Filing Date)

I hereby claim the benefit under Title 35, United States Code § 120 of any United States application(s) or PCT international application(s) designating the United States of America that is/are listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in that/those prior application(s) in the manner provided by the first paragraph of Title 35, United States Code § 112, I acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application:

Prior U.S. (or U.S.-designating PCT) Application(s) [list additional applications on separate page]:

First counterpart  
Page 2 of 4

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U.S. Serial No.: Filed (Day/Month/Year) PCT Application No. Status (patented, pending, abandoned)

I/We hereby agree that in the event of any dispute regarding any services rendered by an attorney or agent working for BUGNION S.A. of Geneva, Switzerland, such dispute or litigation shall be resolved in the Canton of Geneva, Country of Switzerland and Swiss Law (excluding its conflict of Laws provisions) shall apply. Further, I/we hereby agree that any lawsuit filed in any dispute solely involving services rendered by an appointed attorney or agent located in the United States shall be filed in the jurisdiction of that attorney or agent's place of business.

**POWER OF ATTORNEY:** As a named inventor, I hereby appoint John MOETTELI, REG. NO 35,289 and Sherman D. PERNIA, REG. NO 34,404 to prosecute this application, to make alterations and amendments therein, to file continuation and divisional applications thereof, to receive the Patent, and to transact all business in the Patent and Trademark Office and in the Courts in connection therewith, and to insert the Serial Number of the application in the space provided above, and specify that all communications about the application are to be directed to the following correspondence address:

John MOETTELI  
BUGNION S.A.,  
10, ROUTE DE FLORISSANT,  
PO BOX 375,  
CH-1211 GENEVA 12,  
SWITZERLAND

Direct all telephone calls to: 011-4122-747-7849  
OR 011-4122-346-8744  
To the attention of JOHN MOETTELI  
FAX : 011-4122-346-8960  
E-MAIL : patents@bugnion.ch

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

INVENTOR(S):

Signature: 

Full name of sole or first inventor:

Residence:

Citizenship:

WHITE, Patrick, Michel  
511 Price Street  
West Chester, PA 19382  
USA  
American

Date:

9/30/04

Signature: 

Full name of 2nd inventor:

Residence:

Citizenship:

LECHOT, André  
Sous L'Eau-Belle 24  
2435 Orvin- Switzerland  
Swiss

Date:

10/8/04

Signature: \_\_\_\_\_

Full name of 3rd inventor:

Residence:

Citizenship:

MAHMOUD, Ezzedine  
Route d'Aegerten 26  
2503 Bienne - Switzerland  
Tunisian

Date: \_\_\_\_\_

Second counterpart  
Page 3 of 4

1.P566.30

# **DECLARATION FOR PATENT APPLICATION AND POWER OF ATTORNEY**

(Under 37 CFR § 1.63; includes reference to PCT International Applications)

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- ☐ is attached hereto  
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Prior Foreign/PCT Application(s) [list additional applications on separate page]:

Country (or PCT)

Application Number:

Filed (Day/Month/Year)

Priority Claimed:

Yes

No

☐  
☐

☐  
☐

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60/372,285

(Application Number)

April 12, 2002

(Filing Date)

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Page 4 of 4

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U.S. Serial No.: Filed (Day/Month/Year) PCT Application No. Status (patented, pending, abandoned)

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**POWER OF ATTORNEY:** As a named inventor, I hereby appoint

John MOETTELI, REG. NO 35,289 and Sherman D. PERNIA, REG. NO 34,404

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10, ROUTE DE FLORISSANT,  
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CH-1211 GENEVA 12,  
SWITZERLAND

Direct all telephone calls to: 011-4122-747-7849

OR 011-4122-346-8744

To the attention of JOHN MOETTELI

FAX : 011-4122-346-8960

E-MAIL : patents@bugnion.ch

I hereby declare that all statements made herein of my own knowledge and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

INVENTOR(S):

Signature: \_\_\_\_\_  
Full name of sole or first inventor: WHITE, Patrick, Michel  
Residence: 511 Price Street  
West Chester, PA 19382  
USA  
Citizenship: American

X Date: \_\_\_\_\_

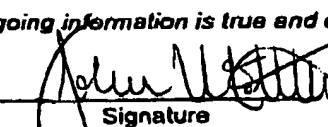
Signature: \_\_\_\_\_  
Full name of 2nd inventor: LECHOT, André  
Residence: Sous L'Eau-Belle 24  
2435 Orvin- Switzerland  
Citizenship: Swiss

Date: \_\_\_\_\_

Signature: \_\_\_\_\_  
Full name of 3rd inventor: MAHMOUD, Ezzedine  
Residence: Route d'Aegerten 26  
2503 Bienne - Switzerland  
Citizenship: Tunisian

Date: 6.12.04

1.P566.30

Form PTO-1595 (Rev. 03/01) OMB No. 0851-0027 (exp. 5/31/2002) Tab settings		RECORDATION FORM COVER SHEET PATENTS ONLY		U.S. DEPARTMENT OF COMMERCE U.S. Patent and Trademark Office	
To the Honorable Commissioner of Patents and Trademarks: Please record the attached original documents or copy thereof.					
1. Name of conveying party(ies): WHITE, Patrick, Michel LECHOT, André MAHMOUD, Ezzedine  Additional name(s) of conveying party(ies) attached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			2. Name and address of receiving party(ies) Name: <u>PRECIMED S.A.</u>  Internal Address: _____  Street Address: <u>L'Echelette 7</u>  Zip: <u>2534 ORVIN - SWITZERLAND</u>  Additional name(s) & address(es) attached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
3. Nature of conveyance: <input checked="" type="checkbox"/> Assignment <input type="checkbox"/> Merger <input type="checkbox"/> Security Agreement <input type="checkbox"/> Change of Name <input type="checkbox"/> Other _____  Execution Date: <u>September 30, 2004</u>			4. Application number(s) or patent number(s): <u>No 10/510,934</u> If this document is being filed together with a new application, the execution date of the application is: _____ A. Patent Application No.(s) <u>No 10/510,934</u> B. Patent No.(s) _____ Additional numbers attached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
5. Name and address of party to whom correspondence concerning document should be mailed: Name: <u>John MOETTELI</u> Internal Address: <u>c/o BUGNION S.A.</u> <u>C.P. 375</u>  Street Address: <u>10, route de Florissant</u>  Zip: <u>1211 City: GENEVA 12 - SWITZERLAND</u>			6. Total number of applications and patents involved: <u>1</u>  7. Total fee (37 CFR 3.41).....\$ <u>40.00</u> <input type="checkbox"/> Enclosed <input checked="" type="checkbox"/> Authorized to be charged to deposit account  8. Deposit account number: <u>50-0800</u> (Attach duplicate copy of this page if paying by deposit account)		
DO NOT USE THIS SPACE					
9. Statement and signature. To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document. <u>John MOETTELI</u> Name of Person Signing <div style="text-align: right;">             Signature  <u>May 20, 2005</u>            Date         </div>					
Total number of pages including cover sheet, attachments, and documents: <u>8</u> Mail documents to be recorded with required cover sheet information to: Commissioner of Patents & Trademarks, Box Assignments Washington, D.C. 20231					

First counterpart  
Page 1 of 4

1.P566.30

## PATENT RIGHTS ASSIGNMENT

FOR VALUE RECEIVED, the receipt of which is hereby acknowledged, the following inventor or inventors (hereinafter called "ASSIGNOR")

1. WHITE, Patrick, Michel of West Chester - USA

2. LECHOT, André of Orvin - Switzerland

3. MAHMOUD, Ezzedine of Bienne - Switzerland

hereby assigns, transfers and set over to (*this must be filled out prior to inventors' execution*):

PRECIMED S.A., L'Echelette 7, 2534 Orvin, Switzerland

(hereinafter called "ASSIGNEE"), the entire worldwide right, title, and interest in and to the invention known as:

MINIMALLY INVASIVE SURGICAL REAMER AND CONNECTION

(*Note: at least one of the below must be checked at time of inventors' signing*)

☐ for which provisional United States Patent Application were executed on \_\_\_\_\_ or

☒ if this assignment is executed prior to the filing of the United States patent application, for which an International (name country in which U.S. application is a translation) patent application, entitled MINIMALLY INVASIVE SURGICAL REAMER AND CONNECTION (foreign language title is OK here), serial no. PCT/US02/21310, was filed on August 1, 2002, claiming priority of USSN 60/372,285 filed on April 12, 2002, the U.S. application being a translation of this foreign application, or for which a United States Patent Application will be filed on or about \_\_\_\_\_ (date).

In addition, the invention is within the domain of products/inventions for which I am under a duty to assign my inventions to the ASSIGNEE, the domain being summarized, but not necessarily limited to the domain described as follows:

MEDICAL DEVICES

(*the foregoing should be filled out prior to inventors' signature—French description is acceptable*)

and all rights and privileges under any Letters Patent which may be granted thereon, including all rights, if any, throughout the entire world to sue for all infringements, including past infringements which may have occurred before the execution of this assignment.

- (1) The ASSIGNOR agrees without charge to said ASSIGNEE but at the ASSIGNEE's expense (a) to execute (i) all necessary papers to be used in connection with this application and any additional, continuing, or divisional applications, as the ASSIGNEE may deem necessary or expedient, (ii) all papers in connection with any interference or other legal or quasi-legal proceedings relating to this application or any additional, continuing, or divisional application thereof, (iii) all papers and documents which may be necessary in connection with the preparation and filing of any foreign applications or with making claims to priority rights granted under the provisions of the International Convention for Protection of Industrial Property or similar agreements; (b) to cooperate with ASSIGNEE in every way possible in obtaining evidence and in going forward in any such proceedings; and (c) to perform all other affirmative acts which may be necessary or desirable to obtain a grant of a valid patent for said invention in any country throughout the world.

[translation into French language of above follows on reverse side: signature page is on facing page of reverse side]

First counterpart  
Page 2 of 4

1.P566.30

PATENT RIGHTS ASSIGNMENT  
page two of two

- (2) ASSIGNOR hereby authorizes and requests the Commissioner of Patents and Trademarks of the United States, and the appropriate officials in any other country, to issue any and all Letters Patent that may be granted upon any application or any additional, continuing, or divisional applications thereof to the ASSIGNEE, its successors and assigns.
- (3) ASSIGNOR hereby covenants and warrants that he has full right to convey the entire right, title, and interest by this instrument, free of any encumbrances and that no other agreement has been or will be executed in conflict herewith.
- (4) ASSIGNOR hereby grants to John Moeteli, Reg. No. 35,289 and the firm of BUGNION S.A. of Geneva, Switzerland, the authority and power to insert on this instrument any further identification which may be necessary or desirable for purposes of recordation in the United States Patent Office or a Patent Office in any foreign country.

Date: XName of Inventor 1: WHITE, Patrick, MichelSignature of Inventor 1: XDate: XName of Inventor 2: LECHOT, AndréSignature of Inventor 2: XDate: 6. 12. 04Name of Inventor 3: MAHMOUD, EzzedineSignature of Inventor 3: X 

Wherever possible, please have two persons witness the signature of a single inventor, and at least one witness sign as having witnessed the signature of each inventor listed above:

Name: \_\_\_\_\_

Name: \_\_\_\_\_

Name: \_\_\_\_\_

Name: \_\_\_\_\_

First counterpart  
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Name: \_\_\_\_\_

Name: \_\_\_\_\_

Name: \_\_\_\_\_

Name: \_\_\_\_\_



I.P566.30

Second counterpart  
Page 3 of 4**PATENT RIGHTS ASSIGNMENT**

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☒ if this assignment is executed prior to the filing of the United States patent application, for which an International (name country in which U.S. application is a translation) patent application, entitled MINIMALLY INVASIVE SURGICAL REAMER AND CONNECTION (foreign language title is OK here), serial no. PCT/US02/21310, was filed on August 1, 2002, claiming priority of USSN 60/372,285 filed on April 12, 2002, the U.S. application being a translation of this foreign application, or for which a United States Patent Application will be filed on or about \_\_\_\_\_ (date).

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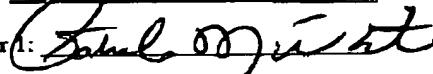

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Date: \_\_\_\_\_

Name of Inventor 3: MAHMOUD, Ezzedine

Signature of Inventor 3: \_\_\_\_\_

Wherever possible, please have two persons witness the signature of a single inventor, and at least one witness sign as having witnessed the signature of each inventor listed above.

  
Name: JAYLIFE  
Name: P FEHLBAUM

Name: \_\_\_\_\_

Name: \_\_\_\_\_

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